

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
W. R. GRACE & CO., et al.,) Case No. 01-01139 (JKF)
) (Jointly Administered)
Debtors.)
) **Re: Docket No. 13406**

**DEBTORS' FINAL WITNESS DISCLOSURE
FOR ADJUDICATION OF PRODUCT IDENTIFICATION,
LIMITATIONS PERIODS AND THE LIBBY CLAIMS ISSUES**

In accordance with this Court's October 13, 2006 Amended Order Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims, Docket No. 13406, the Debtors hereby submit their final witness disclosures for the Adjudication of Product Identification, Limitations Periods and the Libby Claims Issues, as described in the 15th Omnibus Objection.

In addition to the witnesses listed below, the Debtors reserve the right to call to testify at the hearing: (1) any fact or expert witness listed on any other party's witness disclosure for the Adjudication of Product Identification, Limitations Periods and the Libby Claims issues; and, (2) any claimant who submitted a property damage claim, as well as any Person that signed any property damage claim form, to testify regarding the facts surrounding the claim(s) that they submitted and/or signed.

I. Fact Witnesses

1. **James Cintani.** James Cintani is a former Grace employee. He will testify on issues related to product identification and statute of limitations. He will describe relevant Grace products generally, including but not limited to (i) the manufacture, sale, application and use of the products on job sites and in buildings, (ii) the history of the products, and (iii) the products' formulation and reformulation.

2. **Thomas F. Egan.** Thomas Egan is a former Grace employee. He will testify on issues related to product identification and statute of limitations. He will describe relevant Grace products generally, including but not limited to (i) the manufacture, sale, application and use of the products on job sites and in buildings, (ii) the history of the products, and (iii) the products' formulation and reformulation.

3. **California statute of limitations fact witnesses,** if necessary, to testify in person or by prior deposition, concerning California claimants' actual or inquiry notice of their property damage claims and the accrual of their claims for purposes of the statute of limitations, including the following:

- a. **William S. Gibson.** Mr. Gibson may testify regarding statute of limitations issues, including, without limitation, notice of property damage claims;
- b. **Celia Bubb Green.** Ms. Green may testify regarding statute of limitations issues, including, without limitation, notice of property damage claims;
- c. **Robert McNab.** Mr. McNab may testify regarding statute of limitations issues, including, without limitation, notice of property damage claims;
- d. **Anthony Koblentz.** Mr. Koblentz may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;
- e. **D. William Miller.** Mr. Miller may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;

f. **Lindsey Robbins.** Mr. Robbins may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;

g. **Robert King.** Mr. King may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;

h. **Bobby F. Craft, Ph.D., CIH.** Mr. Craft may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;

i. **Al Clancy, MPH, CIH.** Mr. Clancy may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims;

j. **Steven Duran.** Mr. Duran may testify regarding statute of limitations issues, including, without limitation, notice of property damage claims.

k. **David Hardin.** Mr. Hardin may testify regarding statute of limitations issues, including, without limitation, notice of property damage claims; and

l. **Frank Smith.** Mr. Smith may testify regarding statute of limitations issues, including, without limitation, accrual of property damage claims.

4. **EPA representative,** if necessary, to testify concerning the Libby properties that have been or will be remediated by the EPA.

5. **Grace Remedium representative**, if necessary, to testify concerning the Libby properties that have been or will be remediated by the EPA.

6. **Custodian of Records**, if necessary, to authenticate Grace documents.

II. Expert Witnesses

7. **Richard Lee, Ph.D.** Dr. Lee is a microscopist, material analyst, and theoretical physicist with expertise in the constituent analysis of asbestos samples and the measurement and analysis of asbestos levels. He earned a Ph.D. in solid state physics from Colorado State University, and held positions as a physics professor at Purdue University and a research scientist at United States Steel Company before starting RJ Lee Group, a firm that provides research, analytical, and consulting services relating to material characterization. Dr. Lee has previously submitted an expert report entitled "Expert Report by Richard J. Lee, Ph.D For Asbestos Property Damage Claims Product Identification" which was filed with the Court. Dr. Lee's testimony will cover the techniques regarding the collection, analysis, and measurement of asbestos levels in buildings and building materials, the availability of various analytical techniques, the results of such techniques and the development of scientific knowledge on same. He may testify regarding product identification through the use of bulk sample analysis, including the analytical techniques involved and the interpretation of data obtained. Finally, he may also be expected to give testimony consistent with or analogous to the substance of the testimony given in previous property damage cases prosecuted by Martin Dies, Edward Westbrook and Daniel Speights on behalf of PD claimants.

8. **Graeme Mew.** Graeme Mew is the Office Managing Partner at the law firm of Nicholl Paskell-Mede, Lawyers - Avocats, in Toronto, Ontario, Canada. Mr. Mew holds law degrees from Kingston University in London, England and the University of Windsor in Ontario, Canada. He has practiced law since 1984, initially in England and, subsequently, in Canada. He is a specialist in the Canadian law of limitations and has written and spoken extensively on that

subject. He is the author of the leading Canadian textbook on the law of limitations. Mr. Mew previously submitted an expert report entitled "Opinion On Canadian Limitations Issues" which was filed with the Court. Mr. Mew will testify as an expert witness on Canadian limitations periods and their application to asbestos property damage claims. He will discuss the limitations periods, including but not limited to the "ultimate" limitations periods, of each Canadian province and explain how those limitations periods apply to asbestos property damage claims. He will also discuss relevant jurisprudence dealing with limitations periods and their application. He will testify, based on the Report of Roger G. Morse and on his review of related materials about the information historically available to building owners and others regarding asbestos in buildings and will offer an opinion as to whether the availability of such information renders asbestos property damage claims time-barred under Canadian law.

9. **Roger G. Morse, A.I.A.** Roger Morse is an architect with expertise in asbestos evaluation and control. He earned his degree in architecture from Rensselaer Polytechnic Institute and is licensed to practice architecture in ten states and the District of Columbia. He has received specialized training in asbestos and has served on several professional committees and panels concerned with asbestos issues. He is currently President of Morse Zehnter Associates, a firm that provides consulting services in the fields of architecture, indoor air quality, forensic investigations, and environmental issues in buildings, including specific services relative to asbestos. Mr. Morse may testify as a fact and expert witness about the issue of constructive notice and information available to building owners based upon his literature reviews, his consulting experience and his experiences with the historical standards, policies and regulations applicable to asbestos and asbestos-containing products over time, including the federal government's enactment of statutes, promulgation of regulations and issuance of guidance documents. Mr. Morse has previously submitted an expert report entitled "Summary of Information Available to Building Owners and Managers About Asbestos In Buildings, 1970-1995" and an expert report entitled "Report of Roger G. Morse AIA On Summary Of

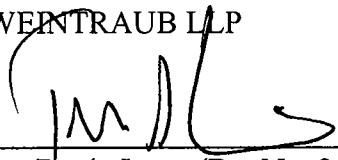
Information Available To Canadian Building Owners And Managers About Asbestos In Buildings, 1970-1995.” Mr. Morse may give an opinion about the techniques regarding the collection, analysis, and measurement of asbestos levels in buildings and building materials, and the development of scientific knowledge on the same. He may discuss the standards and regulations governing asbestos in buildings and the impact they had on operations in buildings with asbestos-containing materials, including maintenance and renovation activities typically employed in buildings. Mr. Morse may opine on the state-of-the-art of architects’ knowledge concerning the use of asbestos in building products. He may describe the development, use, and characteristics of asbestos-containing materials in building construction. Finally, he may also be expected to give testimony consistent with or analogous to the substance of the testimony given in previous property damage cases prosecuted by Martin Dies, Edward Westbrook and Daniel Speights on behalf of PD claimants.

Dated: March 13, 2007

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